

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

PERCY RYSHAWN WOODY,

Plaintiff,

v.

CIVIL ACTION NO. 2:18-cv-01362

SOUTH CENTRAL REGIONAL JAIL AUTHORITY, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

Pending before the Court is Plaintiff Percy Ryshawn Woody’s (“Plaintiff” or “Woody”) Amended Complaint. (ECF No. 64.) By Standing Order entered on January 4, 2016 and in this case on October 18, 2018, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition (“PF&R”). (ECF No. 3.) Magistrate Judge Tinsley filed his PF&R on July 12, 2022, recommending that this Court dismiss Plaintiff’s claims against Defendants West Virginia Division of Corrections and Rehabilitation (“WVDCR”), Regional Jail Authority (“RJA”), Officer Jaburs Terry, Officer Christopher Martin, Officer Estep, and Officer Vandale—only with regard to Plaintiff’s claim against Officer Vandale concerning the loss of Plaintiff’s property—and leave this matter referred to Magistrate Judge Tinsley for additional proceedings concerning Plaintiff’s remaining claims against Officers Cook, Vandale, Vense, and Toney and Nurses Maleigha and Norvell.

This Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a *de novo* review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R were due on July 29, 2022. (ECF No. 65.) Plaintiff has not filed any objections to the PF&R, thereby waiving *de novo* review of Magistrate Judge Tinsley’s PF&R. Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 65), and **DISMISSES** Plaintiff’s claims against the WVDCR, the RJA, Officer Jaburs Terry, Officer Christopher Martin, Officer Estep, and Officer Vandale—only with respect to Plaintiff’s claim against Officer Vandale concerning the loss of Plaintiff’s property. The Court **RE-REFERS** this matter to Magistrate Judge Tinsley for further pretrial management and submission of PF&Rs.

**IT IS SO ORDERED.**

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: August 18, 2022



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THOMAS E. JOHNSTON, CHIEF JUDGE